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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,234	01/30/2004	Frank A. Hunleth	0320-002	8670
42015	7590	10/15/2007		
POTOMAC PATENT GROUP PLLC			EXAMINER	
P. O. BOX 270			NGUYEN, LE V	
FREDERICKSBURG, VA 22404			ART UNIT	PAPER NUMBER
			2174	
			NOTIFICATION DATE	DELIVERY MODE
			10/15/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

tammy@ppglaw.com

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Office Action Summary	Application No.	Applicant(s)	
	10/768,234	HUNLETH ET AL.	
	Examiner	Art Unit	
	Le Nguyen	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/9/07.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-19,23-28,32-37 and 41-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-19,23-28,32-37 and 41-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/8/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to an amendment filed 7/9/07.
2. Claims 15-19, 23-28, 32-37 and 41-56 are pending in this application; and, claims 15, 24 and 33 are independent claims. Claims 1-14, 20-22, 29-31 and 38-40 have been cancelled; claims 42-56 have been newly added; and, claims 15, 24 and 33 have been amended. This action is made Final.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

4. Claims 15-19, 23-28, 32-37, 41-43, 46, 47, 48, 51-53 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daily et al. ("Daily") in view of Brown et al. ("Brown").

As per claim 15, Daily teaches a method for interfacing with a plurality of images comprising displaying the plurality of images aligned relative to one another in rows and columns at a first semantic level of a UI, i.e. example of semantic zooming, wherein certain GUI elements are revealed that were not previously visible at the previous zoom level (figs. 1 and 8; paragraph [0039]), moving a cursor over one of the plurality of images and enlarging the one of the plurality of images in response to the cursor movement (paragraph [0054]). Daily further teaches a method for interfacing with a plurality of images comprising clicking on the one of the plurality of images and

launching a media item represented by the one of the plurality of images (paragraph [0059]) and providing additional information associated with the one of the plurality of images after enlarging the one of the plurality of images (paragraph [0037]; after enlarging the one of the plurality of images via zoom feature, users can see additional information such as expanded channel or program information at higher levels of detail) wherein said each of the plurality of images represent a selectable media item (paragraph [0059]). Daily does not explicitly disclose the one of the plurality of images overlapping at least one image. Brown teaches one of the plurality of images overlapping at least one image (paragraphs [0047]-[0048]; *images may be depicted with one image overlapping other images or images may be depicted so that all images are entirely visible to the user*). It would have been obvious to an artisan at the time of the invention to incorporate the method of Brown with the method of Daily so that users can simultaneously view multiple images and their location for navigational purposes.

As per claim 16, the modified Daily teaches a method for interfacing with a plurality of images wherein when the cursor is not positioned over any one of the images, none of the plurality of images overlaps any other of the plurality of images (Brown: fig. 3; paragraph [0047]).

As per claim 17, the modified Daily teaches a method for interfacing with a plurality of images, wherein the one of the plurality of images, when enlarged, overlaps each image adjacent thereto (Brown: fig. 5; paragraphs [0047]-[0048]).

As per claim 18, the modified Daily teaches a method for interfacing with a plurality of images wherein the plurality of images are static (Brown: fig. 5).

As per claim 19, although the modified Daily teaches a method for interfacing with a plurality of images comprising a plurality of images representing a movie or video clip (Daily: paragraph [0059]), the modified Daily does not explicitly disclose images representing movie cover art. Official Notice is taken that images representing movie cover art is well known in the art. It would have been obvious to an artisan at the time of the invention to incorporate images representing movie cover art with the method of the modified Daily given that they provide product branding and are more user recognizable than images representing an obscure scene.

As per claim 23, the modified Daily teaches a method for interfacing with a plurality of images wherein the enlarging of the one of the plurality of images indicates that the one of the plurality of images currently has a focus of an interface and that the a media item represented by the one of the plurality of images can be selected (Brown: fig. 5; paragraph [0047]; Daily: paragraphs [0054] and [0059]).

Claims 24 and 33 are individually similar in scope to claim 15 and are therefore rejected under similar rationale.

Claims 25 and 34 are individually similar in scope to claim 16 and are therefore rejected under similar rationale.

Claims 26 and 35 are individually similar in scope to claim 17 and are therefore rejected under similar rationale.

Claims 27 and 36 are individually similar in scope to claim 18 and are therefore rejected under similar rationale.

Claims 28 and 37 are individually similar in scope to claim 19 and are therefore rejected under similar rationale.

Claims 32 and 41 are individually similar in scope to claim 23 and are therefore rejected under similar rationale.

As per claim 42, the modified Daily teaches a method for interfacing with a plurality of images comprises displaying said one of said plurality of images at a second semantic level of said user interface including, as said additional information, information associated with said media item represented by said one of said plurality of images (Daily: paragraphs [0049]; paragraphs [0039], [0054] and [0055]).

As per claim 43, the modified Daily teaches a method for interfacing with a plurality of images comprising: providing a transition effect between said display of said one of said plurality of images at said first semantic level of said user interface and said display of said one of said plurality of images at said second semantic level of said user interface (Daily: paragraphs [0049]; paragraphs [0039], [0054] and [0055]; via repeated zooming).

As per claim 46, the modified Daily teaches a method for interfacing with a plurality of images comprises displaying said additional information at said first semantic level of said user interface (Daily: paragraph [0037]).

Claims 47 and 52 are individually similar in scope to claim 42 and are therefore rejected under similar rationale.

Claims 48 and 53 are individually similar in scope to claim 43 and are therefore rejected under similar rationale.

Claims 51 and 56 are individually similar in scope to claim 46 and are therefore rejected under similar rationale.

5. Claims 44, 45, 49, 50, 54 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daily et al. ("Daily") in view of Brown et al. ("Brown") as applied to claims 43, 48 and 53, and further in view of Johnston, Jr. et al. ("Johnston").

As per claim 44, although the modified Daily teaches a method for interfacing with a plurality of images wherein said step of providing a transition effect further comprises transitioning from said first semantic level at which said one of said plurality of images is displayed to said second semantic level by changing a size of said one of said plurality of images (Daily: paragraphs [0049]; paragraphs [0039], [0054] and [0055]), the modified Daily does not explicitly disclose simultaneously changing a size of said one of said plurality of images and translating said one of said plurality of images from a first location on a display to a second location, different from said first location, on said display. Johnston teaches simultaneously changing a size of said one of said plurality of images and translating said one of said plurality of images from a first location on a display to a second location, different from said first location, on said display (col. 7, lines 21-50). It would have been obvious to an artisan at the time of the invention to incorporate the method of Johnston with the method of the modified Daily in order to provide users with a visual feedback.

As per claim 45, the modified Daily teaches a method for interfacing with a plurality of images comprising animating said translation of said one of said plurality of images from said first location to said second location (Johnston: col. 7, lines 21-50).

Claims 49 and 54 are individually similar in scope to claim 44 and are therefore rejected under similar rationale.

Claims 50 and 55 are individually similar in scope to claim 45 and are therefore rejected under similar rationale.

Response to Arguments

6. Applicant's arguments with respect to claim 15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Inquires

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lê Nguyen whose telephone number is **(571) 272-4068**. The examiner can normally be reached on Monday - Friday from 7:00 am to 3:30 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached at (571) 272-4063.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Steven P. Sax/
Steven P. Sax

lvn
Patent Examiner
September 27, 2007